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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,621	11/25/2003	Naoaki Kanada	JP920020202US1	7703
48583	7590	12/06/2006		EXAMINER
BRACEWELL & PATTERSON, LLP PO BOX 61389 HOUSTON, TX 77208-1389				BLOUIN, MARK S
			ART UNIT	PAPER NUMBER
			2627	

DATE MAILED: 12/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/721,621	KANADA ET AL.
	Examiner	Art Unit
	Mark Blouin	2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-16 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. ____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date ____ .	6) <input type="checkbox"/> Other: ____ .

## **Detailed Action**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsumura (USPN 6,028,746).

3. Regarding Claim 1, Matsumura shows (Figs. 1-3) a disk drive, comprising: a disk-shaped storage medium (11) supported for rotation; a moving member (15) supporting a read/write head (16) for reading recorded data from the disk-shaped storage medium and writing data to the disk-shaped storage medium, and for moving the read/write head between a read/write position where the head is able to read data from and write data to the disk-shaped storage medium and a home position where the read/write head is separated from the disk-shaped storage medium; a latching mechanism (50) for securely holding the moving member in place; and a switching mechanism (54,55) for switching the latching mechanism between an operative state and an inoperative state.

4. Regarding Claim 2, Matsumura shows (Figs. 1-3) the disk drive, wherein the moving member is supported for turning on a pivot (17), and has one end part supporting a head slider (16) holding the read/write head, and another end part (21) for being latched by the latching mechanism.

5. Regarding Claim 3, Matsumura shows (Figs. 1-3) the disk drive, wherein the latching mechanism is an inertial latching mechanism that operates in response to an external shock (Col 5, lines 36-60).

6. Regarding Claim 4, Matsumura shows (Figs. 1-3) the disk drive, wherein the switching mechanism sets the latching mechanism in the operative state when the read/write head is at the home position, and sets the latching mechanism in the inoperative state when the read/write head is at the read/write position (Figures 3a through 3d show operative/arm locked in non-read/write position and non-operative/arm released to read/write position) .

7. Regarding Claim 5, Matsumura shows (Figs. 1-3) the disk drive, wherein the latching mechanism has a latching member (54) that moves in response to an external shock; and the switching mechanism has a stopper member (55) interlocked with the moving member (15) so as to be engaged with or disengaged from the latching member according to the movement of the moving member.

8. Regarding Claim 6, Matsumura shows (Figs. 1-3) a disk drive, comprising: a disk-shaped storage medium (11) supported for rotation; a moving member (15) supporting a read/write head (16) for reading recorded data from the disk-shaped storage medium and writing data to the disk-shaped storage medium, and for moving the read/write head between a read/write position where the read/write head is able to read data from and write data to the disk-shaped storage medium and a home position (Figure 3a) where the read/write head is separated from the disk-shaped storage medium; a latching mechanism (50) for securely holding the

moving member in place; and a latch locking mechanism (54,55) for locking the latching mechanism when the read/write head is at the read/write position.

9. Regarding Claim 7, Matsumura shows (Figs. 1-3) the disk drive, wherein the latching mechanism has a latching member (54) that moves in response to an external shock, and the latch locking mechanism has a stopper member (55) that restrains the latching member from movement.

10. Regarding Claim 8, Matsumura shows (Figs. 1-3) the disk drive, wherein the stopper member (55) is interlocked with the moving member (15) so as to move according to the movement of the moving member (Operation shown in Figures 3a-3d).

11. Regarding Claim 9, Matsumura shows (Figs. 1-3) the disk drive, further comprising a biasing member (59) for biasing the stopper member (55) so as to obstruct the operation of the latching mechanism (50).

12. Regarding Claim 10, Matsumura shows (Figs. 1-3) the disk drive, wherein the obstruction of operation of the latching mechanism is removed when the moving member (15) pushes the stopper member (55).

13. Regarding Claim 11, Matsumura shows (Figs. 1-3) the disk drive, further comprising a biasing member (59) for biasing the stopper member (55) to advance the stopper member into a moving range for the latching mechanism.

14. Regarding Claim 12, Matsumura shows (Figs. 1-3) the disk drive, wherein the stopper member (55) is pushed by the moving member (15) so as to move out of a moving range for the latching mechanism.

15. Regarding Claim 13, Matsumura shows (Figs. 1-3) a disk drive, comprising: a disk-shaped storage medium (11) supported for rotation; a moving member (15) supporting a read/write head for reading recorded data from the disk-shaped storage medium and writing data to the disk-shaped storage medium, and for moving the read/write head (16) between a read/write position where the read/write head is able to read data from and write data to the disk-shaped storage medium and a home position where the read/write head is separated from the disk-shaped storage medium; and a latching mechanism (50) for securely holding the moving member in place when the read/write head is at the home position and of remaining separate from the moving member when the read/write head is at the read/write position; and wherein the latching mechanism includes a latching member for latching the moving member when the read/write head is at the home position, and a stopper member for restraining the latching member from movement when the read/write head is at the read/write position (Operation in Figures 3a-3d).

16. Regarding Claim 14, Matsumura shows (Figs. 1-3) the disk drive, wherein the stopper member (55) is interlocked with the moving member (55), releases the latching member (54) when the read/write head is at the home position, and restrains the latching member when the read/write head is at the read/write position.

17. Regarding Claim 15, Matsumura shows (Figs. 1-3) The disk drive of claim 13, wherein the stopper member (55) has a first contact part (60) for being engaged with and disengaged from the moving member, a second contact part (64) for being engaged with and disengaged from the latching member (54), and a support part movably supporting the first and the second contact part.

18. Regarding Claim 16, Matsumura shows (Figs. 1-3) the disk drive, wherein the stopper member (55) separates from the latching member (54) when pushed by the moving member (15), and the stopper member remains in contact with the latching member when not pushed by the moving member.

***Conclusion***

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is 571-272-7583. The examiner can normally be reached on M-F from 6:00 to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Hoa Nguyen, can be reached on 571-272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Mark Blouin  
Patent Examiner  
Art Unit 2627  
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